

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	FERGUSON et al.)	Group Art Unit:	1646
)		
Serial No.:	10/579,090)	Examiner:	Zachary C. Howard
)		
Filed:	April 11, 2007)	Confirmation No.:	5257
For:	DNA SEQUENCE AND EXPRESSED RECOMBINANT GLYCOPROTEINS RELATED TO FELINE THYROTROPIN			

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed September 15, 2008, Applicants elect, with traverse, Group I (claims 1-13, 37 and 38), drawn to a feline thyrotropin β -subunit polypeptide, a feline thyrotropin α -subunit polypeptide, a yoked feline thyrotropin polypeptide, and pharmaceutical compositions thereof. Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions of Groups I-VII can be readily evaluated in one search without placing undue burden on the Examiner.

In regard to the Species election, Applicants elect Species 1, "isolated thyrotropin β -subunit." Applicants submit that claims 1-4, 13, 37, 38, and 55-89 read on elected species I and that claim 9 is generic to the elected species.

Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996, (1184 O.G. 86), the withdrawal of the restriction requirement as it relates to method claims 34-36 (Group V) and the rejoinder and examination of claims 34-36 and 90 is respectfully requested upon the identification of allowable subject matter within the claims of elected Group I.

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Page 2 of 2

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Applicants note that SEQ ID NO:1 is the amino acid sequence of the feline thyrotropin β -subunit, while SEQ ID NO:4 is the amino acid sequence of the feline thyrotropin α -subunit. Thus, Applicants submit that the Examiner's assertion that the porcine thyrotropin α -subunit represented by Accession P0129 "is identical to a mutated variant of SEQ ID NO:1" (page 3, Restriction Requirement mailed September 15, 2008) is incorrect.

The Examiner is invited to contact Applicants' Representatives at the telephone number listed below if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper, as described hereinabove, is being transmitted via the U.S. Patent and Trademark Office electronic filing system in accordance with 37 CFR §1.6(a)(4) to the Patent and Trademark Office addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of October, 2008.

By:

Name:

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Respectfully submitted

By

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October 7, 2008
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NAJ/SJT